

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YITZ GROSSMAN,

Plaintiff,

-against-

WARDEN B. VON BLACKENSEE, in her individual
Capacity, CAPTAIN MATT WHINERY, in his individual
Capacity, ASSISTANT/CAMP ADMINISTRATOR
CHRIS ENTZEL, in his individual capacity, CHAPLAIN
AVROHAM RICHTER, in his individual capacity, J.L.
MALDONADO, in his individual capacity, and OFFICER
AHAMAD REZAK, a/k/a AHMED REZAK, in his
individual capacity,

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: **04/14/2025**

19-cv-9191 (NSR)

ORDER

NELSON S. ROMÁN, United States District Judge:

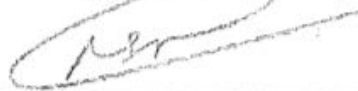
On February 19, 2025, this Court issued an Order and Opinion at ECF No. 71 dismissing all claims against the Otisville Warden B. Von Blackensee, Captain Matt Whinery, Executive Assistant/Camp Administrator Chris Entzel, Chaplain Avrohom Richter, and Associate Warden J.L. Maldonado (“Supervisory Defendants”) without prejudice, giving Plaintiff until March 21, 2025, to file any Third Amended Complaint. The Court stated that if Plaintiff did not file a further amended pleading by this date those claims dismissed without prejudice would be deemed dismissed with prejudice. Because all claims against the Supervisory Defendants were dismissed without prejudice and because Plaintiff did not file a Third Amended Complaint by the deadline, all claims against the Supervisory Defendants are dismissed with prejudice. The Clerk of Court is directed to terminate Defendants Otisville Warden B. Von Blackensee, Captain Matt Whinery, Executive Assistant/Camp Administrator Chris Entzel, Chaplain Avrohom Richter, and Associate Warden J.L. Maldonado.

As directed in the February 19, 2025 Order, Defendant Rezak filed an answer to the surviving claim against him in the Second Amended Complaint by April 11, 2025. (ECF No. 73.) The parties were further directed in the February 19, 2025 Order to complete and file a Case Management Plan and Scheduling Order (blank form attached) by May 2, 2025. The Clerk of Court is kindly directed to mail a copy of this Order to *pro se* Plaintiff at the address listed on ECF and to show service on the docket.

SO ORDERED.

Dated: April 14, 2025
White Plains, New York

SO ORDERED:

A handwritten signature in dark ink, appearing to read 'N. Román', is written over a horizontal line.

NELSON S. ROMÁN
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Rev. Jan. 2012

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**CIVIL CASE DISCOVERY PLAN
AND SCHEDULING ORDER**

Plaintiff(s),

- against -

Defendant(s). _____ CV _____ (NSR)

-----X

This Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel, pursuant to Fed. R. Civ. P. 16 and 26(f):

1. All parties [consent] [do not consent] to conducting all further proceedings before a Magistrate Judge, including motions and trial, pursuant to 28 U.S.C. § 636(c). The parties are free to withhold consent without adverse substantive consequences. (If all parties consent, the remaining paragraphs of this form need not be completed.)
2. This case [is] [is not] to be tried to a jury.
3. Joinder of additional parties must be accomplished by _____.
4. Amended pleadings may be filed until _____.
5. Interrogatories shall be served no later than _____, and responses thereto shall be served within thirty (30) days thereafter. The provisions of Local Civil Rule 33.3 [shall] [shall not] apply to this case.

6. First request for production of documents, if any, shall be served no later than _____.
7. Non-expert depositions shall be completed by _____.
 - a. Unless counsel agree otherwise or the Court so orders, depositions shall not be held until all parties have responded to any first requests for production of documents.
 - b. Depositions shall proceed concurrently.
 - c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
8. Any further interrogatories, including expert interrogatories, shall be served no later than _____.
9. Requests to Admit, if any, shall be served no later than _____.
10. Expert reports shall be served no later than _____.
11. Rebuttal expert reports shall be served no later than _____.
12. Expert depositions shall be completed by _____.
13. Additional provisions agreed upon by counsel are attached hereto and made a part hereof.
14. **ALL DISCOVERY SHALL BE COMPLETED BY** _____.
15. Any motions shall be filed in accordance with the Court's Individual Practices.
16. This Civil Case Discovery Plan and Scheduling Order may not be changed without leave of Court (or the assigned Magistrate Judge acting under a specific order of reference).
17. The Magistrate Judge assigned to this case is the Hon. _____.

18. If, after entry of this Order, the parties consent to trial before a Magistrate Judge, the Magistrate Judge will schedule a date certain for trial and will, if necessary, amend this Order consistent therewith.
19. The next case management conference is scheduled for _____, at _____. (The Court will set this date at the initial conference.)

SO ORDERED.

Dated: White Plains, New York

Nelson S. Román, U.S. District Judge